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PTO/SB/97 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
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Application Number: 09/811,362

Filing Date: Mar 16, 2001

Certificate of Transmission under 37 CFR 1.8

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Signature

Cheryl K. Boles

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1. Certificate of Transmission
2. Fee Transmittal
3. Response to Office Action Dated 8/24/2004 (21 pages)

TOTAL PAGES: 23
FAX NO: 703-872-9306*Please notify us immediately (509-324-9256) if
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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0851-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**88.00****Complete if Known**

| | |
|----------------------|--------------------|
| Application Number | 09/811,362 |
| Filing Date | Mar 16, 2001 |
| First Named Inventor | Zintel |
| Examiner Name | FAROOQ, MOHAMMAD O |
| Art Unit | 2182 |
| Attorney Docket No. | MS1-785US |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

| | |
|------------------------|-------------------|
| Deposit Account Number | 12-0769 |
| Deposit Account Name | Lee & Hayes, PLLC |

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)**0.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 38 | -20** = 0 | 0 | 0 |
| Independent Claims | 10 | -3** = 1 | 88 |
| Multiple Dependent | | | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 88 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 88 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)**88.00**

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 60 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 2053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1601 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 840 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1808 180 | 1808 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**0.00****SUBMITTED BY**

| | | | | | |
|-------------------|--------------|-----------------------------------|-------------|-----------|----------------|
| Name (Print/Type) | Lewis C. Lee | Registration No. (Attorney/Agent) | 34,656 | Telephone | (509) 324-9256 |
| Signature | | Date | Nov 3, 2004 | | |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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NOV 04 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.09/811,362
Filing Date March 16, 2001
ApplicantMicrosoft Corporation
Inventorship.....Zintel et al.
Group Art Unit.....2182
ExaminerFarooq
Attorney's Docket No.MSI-785US
Title: An XML-Based Template Language for Devices and Services

RESPONSE TO OFFICE ACTION DATED
AUGUST 24, 2004

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: Lewis C. Lee (Tel. 509-324-9256 x211; Fax 509-323-8979)
Customer No. 22801
Lee & Hayes PLLC
421 W Riverside Avenue, Suite 500
Spokane, WA 99201

LEE & HAYES, PLLC

RESPONSE TO OFFICE ACTION DATED AUGUST 24, 2004

1

ATTORNEY DOCKET NO. MSI-785US

Serial No. 09/811,362

INTRODUCTORY COMMENTS

This communication is responsive to the Office Action dated August 24, 2004, for which a three-month shortened statutory period for response is set for November 24, 2004. Please amend the above-captioned application as follows:

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 19 of this paper.